IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1972

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No. 72-89

KATHLEEN CARTER, ET AL, Petitioners

v.

CITY OF FORT WORTH, ET AL, Respondents

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PETITIONERS' REPLY TO

RESPONDENTS' SUPPLEMENTAL REPLY BRIEF

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The Respondents have heretofore filed a Supplemental Reply Brief to the Petition for Writ of Certiorari. This Supplemental Reply Brief was purportedly filed under the authority of Rule 24 of the Rules of the Supreme Court.

The only portion of Rule 24 which has

any applicability to supplemental briefs is section 5, which provides as follows:

> 5. Any party may file a supplemental brief at any time while a petition for writ of certiorari is pending calling attention to new cases or legislation or other intervening matter not available at the time of his last filing.

It is respectfully submitted that none of the contents of Respondents' Supplemental Reply Brief complies with the requirement of the rule that the matter contained therein not be available at the time of Respondents' last filing. In fact, the entire contents of Respondents' Reply Brief relates to a suit which was filed on the 17th day of April, 1972, some ninety-one

days before even the Petition for Certiorari was filed in this case.

PRAYER

Petitioners respectfully ask this Court to disregard Respondents' Supplemental Reply Brief.

Respectfully submitted,

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September 25, 1972